

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

To a Constable of the Town of Shrewsbury in the County of Worcester

GREETING:

In the name of the Commonwealth of Massachusetts you are directed to notify and warn the inhabitants of the Town of Shrewsbury qualified to vote in town affairs to meet in the Senior High School Auditorium, 64 Holden Street in said Shrewsbury on Monday, the twenty-fourth of March, A.D., 2003, at seven o'clock post meridian (7:00 P.M.), and there to act on the following articles:

ARTICLE 1

To see if the Town will vote to amend the Zoning Bylaw by amending Section II, Definitions as follows:

- 1) Add a new definition after the term "Garage, Public or Storage"

Gasoline Service Stations with Related Uses: A building or use in which gasoline sales, automotive related sales and service activities are conducted including the incidental sale of non automotive goods.

- 2) Add a definition after the term "Utility Structure" as follows:

Warehousing and Distribution: A building or use designed for the storage, wholesale, and distribution of manufactured products, supplies, and equipment.

- 3) Add a definition after the term "Restaurant" as follows:

Salesroom for Automobiles and Motor Cycles: A building or use designed for the sale of passenger vehicles and motorcycles including all terrain vehicles, all trucks with a gross vehicle weight of 14,000 pounds or less, but not including agricultural, construction equipment and motor homes/recreation vehicles greater than twenty feet in length as defined by this bylaw.

- 4) Add a definition after the term "Restaurant" as follows:

Salesroom for Agricultural and Construction Equipment, Recreation Vehicles, Motor Homes, Trucks and Boats: A building or use designed for the sale or rental of farm and construction equipment, recreation vehicles, motor homes, trucks, boats, marine supplies, and other similar products.

ARTICLE 2

To see if the Town will vote to amend the Zoning Bylaw by amending the Limited Industrial and Commercial Business District as follows:

Amend Section VI, Table I, Use Regulations Schedule as follows:

**Table I
Use Regulation Schedule**

	Rur A	Rur B	Res A	Res B-1	Res B-2	MF-1	MF-2	Apt	LB	CB	LI (8)	NB	O-R	LO-R
1) Delete the following row from Table I														
One Family detached dwellings	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N
and insert the following row in its place														
One Family detached dwellings	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	N
2) Delete the following row from Table I														
Hotels, motels, or lodging houses	N	N	N	N	N	N	N	N	N	SP	SP	N	SP	N
and insert the following row in its place														
Hotels, motels, or lodging houses	N	N	N	N	N	N	N	N	N	Y	Y	N	SP	N
3) After the line item “Gasoline Stations”, insert the following row into Table I														
Gasoline Service Stations with Related Uses (9)	N	N	N	N	N	N	N	N	N	SP	SP(26)	N	N	N
4) Under footnotes to Section VI, Table I, insert the following:														
(26) In no instance shall the non-gasoline sales function of the property have a gross floor area that exceeds 3,500 square feet.														

Rur A	Rur B	Res A	Res B-1	Res B-2	MF-1	MF-2	Apt	LB	CB	LI (8)	NB	O-R	LO-R
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5) Delete the following row from Table I

Salesrooms for automobiles, bicycles, boats, farm implements and similar equipment.	N	N	N	N	N	N	N	N	N	SP	N	N	N	N
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and insert the following row in its place

Salesroom for Automobiles and Motor Cycles	N	N	N	N	N	N	N	N	N	SP	N	N	N	N
--	---	---	---	---	---	---	---	---	---	----	---	---	---	---

6) After the revised line item “Salesroom for Automobiles and Motor Cycles”, insert the following row into Table I

Salesroom for Agricultural, Construction, Large Recreation, Trucks and Boating Sales and Equipment	N	N	N	N	N	N	N	N	N	N	SP	N	N	N
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7) Delete the following row from Table I

Trucking Terminals and Warehouses	N	N	N	N	N	N	N	N	N	N	Y (12)	N	N	N
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and insert the following row in its place

Trucking Terminals	N	N	N	N	N	N	N	N	N	N	SP (12)	N	N	N
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8) After the revised line item “Trucking Terminals”, insert the following row into Table I

Warehousing and Distribution	N	N	N	N	N	N	N	N	N	N	Y (12)	N	N	N
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9) Delete the following row from Table I (This line item was added to the Zoning Bylaw as part of the Zoning amendments approved at the September 9, 2002 Special Town Meeting.)

[illegible]

and insert the following row in its place

Basic and applied research and development in the electronic, computer, instrumentation, photonics, and communication field, production and product assembly, laboratory testing, and related uses	N	N	N	N	N	N	N	N	N	N	SP	N	Y	Y
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ARTICLE 3

To see if the Town will vote to amend the Zoning Bylaw by amending the Limited Industrial and Commercial Business District as follows:

Amend Section VII, Table II as follows:

TABLE II

[MINIMUM REQUIREMENTS MAXIMUM CONDITIONS]										
DISTRICT	Lot Area ⁽¹⁰⁾ Sq. Ft.	Lot ⁽¹⁾ Frontage	Front ⁽²⁾ Yard	Side ⁽³⁾ Yard	Rear Yard	Add'l Area Per ⁽⁵⁾ Dwelling Unit	Open Space Percent of Lot Area	Lot Coverage Percent	Height Feet	Number Stories
ALBANY	10,000	100	10	5	5	1,000	10	60	35	3
ALBUQUERQUE	10,000	100	10	5	5	1,000	10	60	35	3
ANCHORAGE	10,000	100	10	5	5	1,000	10	60	35	3
ANNE ARBOR	10,000	100	10	5	5	1,000	10	60	35	3
ANN ARBOR	10,000	100	10	5	5	1,000	10	60	35	3
ANTWERP	10,000	100	10	5	5	1,000	10	60	35	3
APOKALIPS	10,000	100	10	5	5	1,000	10	60	35	3
ARIZONA	10,000	100	10	5	5	1,000	10	60	35	3
ARMENIA	10,000	100	10	5	5	1,000	10	60	35	3
ATLANTA	10,000	100	10	5	5	1,000	10	60	35	3
AUSTIN	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE CITY	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE COUNTY	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE MARYLAND	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE STATE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE WASHINGTON	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE VIRGINIA	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE WEST VIRGINIA	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE WISCONSIN	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE WYOMING	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE YOUTH CENTER	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOO	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL GARDEN	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND	10,000	100	10	5	5	1,000	10	60	35	3
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BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
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BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
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BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE	10,000	100	10	5	5	1,000	10	60	35	3
BALTIMORE ZOOLOGICAL SOCIETY OF AMERICA BALTIMORE MARYLAND BALTIMORE BALTIM										

1) Delete the following rows from Table II

Commercial-Business (amended 11/13/2001)

All Uses ⁽⁶⁾	25,000	125	75	15*	25*	--	20	50	50	3
All Uses ⁽⁷⁾	40,000	150	75	15*	25*	--	30	40	50	3

*except 50 when abutting a Residential District

and insert the following row in its place

Commercial-Business (amended 11/13/2001)

All Uses ⁽⁶⁾	40,000	150	40	15	25 ⁽⁷⁾	--	20	50	50	4
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2) Delete the following rows from Table II

Limited Industrial (amended 11/13/2001)

All Uses	80,000	50	50	50*	50*	--	30	40	50	3
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*except 100 when abutting a Residential District

and insert the following row in its place

Limited Industrial (amended 11/13/2001)

All Uses	80,000	50	50	50*	50*	--	20	50	50	4
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*except 100 when abutting a Residential District

3) Under footnotes to Section VII, Table II, delete the wording to the current footnote (6) in its entirety and replace it with the following:

- (6) The first twenty (20) feet of the required front yard shall contain plant materials, in various patterns, designed to provide a continuous landscaped edge to the property in question, except for points of entry and exit. Said landscaping shall be in accordance with section VII.D.2.d.(1). If no public sidewalk exists across the entire frontage of the lot, a paved sidewalk of at least 4 feet in width shall be provided within the 20-foot landscaped area, and as much as possible said sidewalk shall be designed to create a continuous pedestrian walkway with the abutting properties.

4) Under footnotes to Section VII, Table II, delete the wording to the current footnote (7) in its entirety and replace it with the following:

- (7) Where the rear property line abuts or is located within a residential district, a buffer zone of at least ten feet in width shall be provided along the entire rear yard. Within said buffer, no commercial building or parking areas shall be permitted. Said landscaping shall be in accordance with Section VII.D.2.d.(2).

5) Under footnotes to Section VII, Table II, amend footnote (9) by deleting the number “75” in the last clause and insert in place thereof the number “40”.

ARTICLE 4

To see if the Town will vote to amend the Zoning Map in accordance with a map entitled “Proposed Zoning Map Amendments” dated February 11, 2003. A copy of the map along with a complete list of Assessor’s Parcels affected by the proposed change is available in the Office of the Town Clerk and the Engineering Department located at the Shrewsbury Municipal Office Building.

ARTICLE 5

To see if the Town will amend the Zoning Bylaw by amending Section VII Table II as follows:

- 1) For the line item "All Other Uses" as it pertains to the Rural A, Rural B, Residence B-1, and Residence B-2 Districts, under the column "Open Space Percent of Lot Area", replace the current dashed lines (No requirement) with the number 25.

TABLE II

DISTRICT	MINIMUM REQUIREMENTS						MAXIMUM CONDITIONS			
	Lot Area ⁽¹⁰⁾ Sq. Ft.	Lot ⁽¹⁾ Frontage	Front ⁽²⁾ Yard	Side ⁽³⁾ Yard	Rear Yard	Add'l Area Per ⁽⁵⁾ Dwelling Unit	Open Space Percent of Lot Area	Lot Coverage Percent	Height Feet	Number Stories

- 1) Delete the following rows from Table II:

Residence "A"										
All Uses	20,000	125	30	20	40	--	--	30	35	2-1/2

and insert the following rows in its place:

Residence "A"										
One Family	20,000	125	30	20	40	--	--	30	35	2-1/2
All Other Uses	40,000	150	50	30	50	--	25	10	35	2-1/2

ARTICLE 6

To see if the Town will vote to amend the Zoning Bylaw by amending Section VI. The purpose of this amendment is to eliminate a duplication in footnote numbering created by zoning amendments made at the September 2002 Special Town Meeting.

Amend Table I, Use Regulations Schedule as follows:

	Rur A	Rur B	Res A	Res B-1	Res B-2	MF-1	MF-2	Apt	LB	CB	LI (8)	NB	O-R	LO-R
Hotels, motels or lodging houses (11/13/2001) (9/9/2002)	N	N	N	N	N	N	N	N	N	SP	SP	N	SP (23)	N

and insert the following row in its place

Hotels, motels or lodging houses (11/13/2001) (9/9/2002)	N	N	N	N	N	N	N	N	N	N	SP	SP	N	SP (25)	N
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2) Delete in its entirety following:

- (23) Hotels, motels, and lodging houses, are not permitted in the Office Research District unless they have direct access to Route 9, Route 20, Route 140, or Interstate 290, and are situated on parcels not more than 500 feet from said roadways. (9/9/2002)

and after footnote (24), insert the following:

- (25) Hotels, motels, and lodging houses, are not permitted in the Office Research District unless they have direct access to Route 9, Route 20, Route 140, or Interstate 290, and are situated on parcels not more than 500 feet from said roadways. (9/9/2002)

ARTICLE 7

To hear and act upon the report of the Board of Selectmen in laying out and making public a connector road between Hartford Turnpike (Route 20) and Pine Street in the Town of Grafton as shown on plans filed in the office of the Town Clerk, and authorize the Selectmen to acquire by eminent domain any easements therein and associated thereto for all the purposes of a Town way and all necessary drainage easements.

ARTICLE 8

To see if the Town will vote to transfer a sum of money from the Sewer Surplus Account to fund costs associated with an Infiltration and Inflow Study (I&I) of the Municipal Sewer System.

ARTICLE 9

To see if the Town will vote to transfer a sum of money from the Water System Improvements Account to fund costs associated with the repair, refurbishment and improvement of Home Farm Well 6-2 and related appurtenances.

ARTICLE 10

To see if the Town will vote to amend the General By-Laws of the Town of Shrewsbury by deleting Article 18 in its entirety and inserting in place the following:

ARTICLE 18 WATER USE RESTRICTIONS

Section 1 Authority

This Bylaw is adopted by the Town of Shrewsbury under its powers to protect public health and welfare and its authority to regulate water use pursuant to M.G.L. c.41, § 69B. This bylaw also implements the Town's authority under M.G.L. c.40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

Section 2 Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection.

Section 3 Definitions

Person - Shall mean any individual, corporation, trust, partnership or association, or other entity.

Agricultural Uses - Shall mean activities associated with agriculture as defined in M.G.L. c. 128, § 1A.

Commercial Uses - Shall mean uses associated with commercial and industrial activities but not involving lawn watering.

Enforcing Persons - Shall mean any sworn member of the Police Department, Superintendent of Water and Sewer and the Foreman for Water and Sewer.

Newly Planted Lawn Areas - Shall mean lawns or specific major portions thereof, seeded or sodded in the current calendar year for homes or businesses newly constructed in the last twelve months.

State of Water Supply Emergency - Shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21 G, § 15-17.

State of Water Supply Conservation - Shall mean a State of Water Supply Conservation declared by the Town pursuant to section 4 of this bylaw.

Water Users or Water Consumers - Shall mean all public and private users of the Town's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

Section 4 State of Water Supply Conservation The Board of Selectmen acting under the authority as Water Commissioners may declare a State of Water Supply Conservation upon a

determination by a majority vote of the Board that a shortage of water exists and conservation measures are necessary to ensure an adequate supply of water to all water consumers. Notification of any provision, restriction, requirement, or condition imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other notice reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restrictions imposed under this section shall not be effective until such notification is provided. Notification shall also be simultaneously provided to DEP.

A declaration of a State of Water Conservation may include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions, or requirements shall be included in the public notice.

A. Outdoor Watering Hours

Outdoor lawn watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.

B. Outdoor Use of Water Restriction

Effective between April 15 and October 15, unless modified by the Commissioners, based upon the street address number as follows:

Even numbered addresses may use water outdoors: Tuesday, Thursday and Saturday

Odd numbered addresses may use water outdoors: Wednesday, Friday and Sunday

No outdoor use of water on Monday

C. Filling and Topping off of Swimming Pools Ban

Filling of swimming pools or adding more than two inches of water to an existing filled pool is prohibited. Usage of children's wading pools is allowed.

D. Lawn Sprinkler Use Ban

The use of automatic or manual lawn sprinkler or sprinkler systems is prohibited. Outdoor watering via hand held device is allowed for vegetable and flower gardens, shrubbery, trees but not for lawn areas.

E. Outdoor Water Use Ban

The use of outdoor water is banned

Any water consumer who violates any provision of a State of Water Supply Conservation shall be subject to the following penalties: First offense in a calendar year - Written Warning; Second Offense in a calendar year - \$50.00 fine; Third Offense in a calendar year - \$100.00 fine. Subsequent offenses – turn off of water service with a \$50. reconnection fee plus a \$200.00 fine.

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Selectmen, upon determination that the water supply shortage no longer exists. Publication of the termination of a State of Water Supply Conservation shall be given in the same manner as indicated above.

Section 5 State of Water Supply Emergency; Compliance with DEP Orders

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection (DEP), no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the DEP intended to bring about an end to the State of Emergency.

The State of Water Supply Emergency once issued may only be rescinded by the Department of Environmental Protection.

Notification of any provision, restriction, requirement, or condition with which users of water supplied by the Town are required to comply to abate a situation of water emergency shall be sufficient for purposes of this regulation if it is published in a newspaper of general circulation within the Town or by such other notice as is reasonably calculated to reach and inform all users of the Town water supply.

Any water consumer who violates a plan to abate a water supply emergency shall be liable to the Town of Shrewsbury as follows: First Offense - \$50.00 Fine, Second Offense - \$100.00 Fine, Third Offense - \$200.00 Fine. Subsequent offenses – turn off of water service with a \$50.00 reconnection fee plus a \$300.00 Fine. The Board of Selectmen acting as the Water Commissioners when the Department of Environmental Protection has determined that an emergency exists during a drought, hurricane, conflagration or other disaster may restrain the use of water on public and private premises by shutting off the water at the meter or at the curb cock or by other means as the case may be.

Section 6 Exemptions

The following instances are exempted from any of the State of Water Supply Conservation restrictions.

1. Newly planted lawns as defined by lawns seeded or sodded in the current calendar year for homes or businesses newly constructed in the last twelve months.
2. Agricultural use.
3. Commercial use.
4. Private Wells.

Section 7 Enforcement

The Board of Selectmen may determine that for any specified period of time the enforcement of this Article shall be made pursuant to M.G.L. c. 40, 21D which provides for non-criminal disposition of the enforcement of an ordinance or bylaw.

ARTICLE 11

To see if the Town will vote to accept three certain parcels of land in the Shrewsbury Commons subdivision being Lot P1 containing 158,770 square feet, Lot H2 containing 76,153 square feet and Lot K4 containing 322,202 square feet of land, more or less, as shown on two separate plans drawn by R.E. Cameron & Associates, Inc. entitled “Subdivision Plan Shrewsbury Commons Shrewsbury, Massachusetts” dated January 28, 2003.

And you are directed to serve this Warrant by posting an attested copy thereof at the Municipal Office Building on Maple Avenue and at the Post Office on Boston Turnpike, in said Shrewsbury fourteen days at least before the time of holding said meeting. Fail not and make due return on this Warrant with your doing thereon to the Town Clerk of Shrewsbury before the meeting aforesaid.

Given under our hands this 24 day of February 2003.

BOARD OF SELECTMEN

Worcester, ss

Shrewsbury, Massachusetts

This is to certify that I have served the foregoing Warrant by posting an attested copy thereof at the Municipal Office Building on Maple Avenue and at the Post Office at 180 Boston Turnpike, in said Shrewsbury, as therein directed, fourteen days before the time of holding said meeting.

Constable of Shrewsbury